IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 5366 of 1996

Between:

K.Anand Rao, S/o Jayaram.
R/o. 12-2-830/A/42, Hill Colony,
Hyderabad.

..... PETITIONER

AND

1 The Depot Manager, APSRTC.,
Mehdipatnam, Hyderabad.
2 The Vice Chairman-cum-Managing Director,

APSRTC, Musheerabad, Hyderabad.
3 The Labour Court-I, Rep. by its Presiding Officer,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Certiorari calling for the records from the respondents herein pertaining to ID.No.143/93, dated 02/11/1993 on the file of the 3rd respondent and consequently modify the order by granting full backwages with attendant benefits and monetary benefits.

Counsel for the Petitioner: MR.P.RADHAKRISHNA

Counsel for the Respondent No.1 & 2: (SC FOR A.P.S.R.T.C.)

The Court made the following:

O R D E R:

The petitioner who is working as a conductor with the respondent-Corporation filed this writ petition, *inter alia,* seeking a writ of Certiorari challenging the award dated 02-11-1993 in I.D.No.143 of 1993 to the extent of denying back wages and other attendant benefits to him.

The case of the petitioner is that he has been working as a conductor and on 07-12-1985 while he was conducting a bus, there was a check, wherein it was found that 23 passengers were travelling without tickets. Accordingly, proceedings have been initiated against him and ultimately he was removed from service after conducting an enquiry. Aggrieved by the same, he raised an industrial dispute before the third respondent. The Labour Court, on the basis of the documentary evidence produced on either side, found the petitioner guilty of the charges for not issuing tickets to the passengers. However, taking a lenient view, the Labour Court ordered for reinstatement of the petitioner with continuity of service but, without back wages. Hence, the writ petition.

As the finding, arrived at by the third respondent against the petitioner in regard to the non-issuance of tickets to 23 passengers, is purely a finding of fact, the same cannot be gone into by this Court nor the petitioner can seek indulgence of this Court. In view of the

same, I do not find any merits in the writ petition and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

(**B. PRAKASH RAO, J**)

Date: 24-11-2004

ghn

To

1 The Depot Manager, APSRTC.,
Mehdipatnam, Hyderabad.
2 The Vice Chairman-cum-Managing Director,

APSRTC, Musheerabad, Hyderabad.
3 The Presiding Officer, The Labour Court-I,
Hyderabad.

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